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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/474,643 | 12/29/1999 | CHERYL CAMP HAYNES | 19260-1800/B | 2514 |

30314 7590 04/23/2003

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|---|---|
| VAN DOREN, BETH | |
| ART UNIT | PAPER NUMBER |
| 3623 | |

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/474,643 | HAYNES ET AL. | |
| | Examiner | Art Unit | |
| | Beth Van Doren | 3623 | |

*-- The MAILING DATE of this communication appears n the cover sheet with the correspondenc address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *18 February 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/18/03 has been entered.

2. Claims 1, 11, and 17 have been amended in the communications received on 2/18/03. Claims 21-31 have been added. Claims 1-31 are pending in the current application.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 8, 11, 12, 13, 14, 17, 23, 26, 27, 30, and 31 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1 recites the limitations "if the service order meets the set of predefined criteria, then determining whether the dispatch is unnecessary" and "if the dispatch is unnecessary, then canceling a dispatch associated with the service order". The scope of the claim is unclear and indefinite due to the incomplete "if... then" wording of the limitations. For example, the claim does not distinctly claim what would occur in a situation when the service order does not meet the set of predefined criteria (i.e. would "then determining whether the dispatch is unnecessary"

and the final element be eliminated). In order to render the scope of the claim definite, the claim should either include "else" statements that accompany the limitations (i.e. "if the service order meets the set of predefined criteria, then determining whether the dispatch is unnecessary" --, **else if the service order does not meet the set...- -**) or include complimentary "if... then" statements that coincide with each limitation (i.e. "if the service order meets the set of predefined criteria, then determining whether the dispatch is unnecessary;" **--if the service order does not meet the set of predefined criteria, then... --**). Appropriate correction is provided. For examination purposes, the Examiner has interpreted that when the "if" condition is not met in the limitation, the result of the "then" statement does not occur.

6. Claims 8, 11, 12, 13, 14, 17, 23, 26, 27, 30, and 31 also contain "if... then" wording in limitations, rendering the scope of each claim indefinite. As discussed above, in order to render the scope of each claim definite, each claim should either include "else" statements that accompany the limitations or include complimentary "if... then" statements that coincide with each limitation. Appropriate correction is provided. For examination purposes, the Examiner has interpreted that when the "if" condition is not met in the limitation, the result of the "then" statement does not occur.

7. Claim 11 recites the limitation "a trap service order system...for determining whether the service order requires a dispatch, and if so, determining whether the dispatch is unnecessary by...". It is unclear as to what is occurring in this limitation because, as recited, the limitation seems cyclical. In the limitation the component is making a determination as to if the service order requires a dispatch and, in the situation where it does, the same component then makes another determination about whether or not the dispatch is unnecessary.

Claim 31 also contains this cyclical wording. Clarification is required in both instances. For examination purposes, the limitations have been construed as if the determination is that service order requires a dispatch in the first instance, then it requires a dispatch in the second.

8. Claims 17 and 30 contain vague and indefinite preambles. The preambles recite "A method for eliminating a dispatch of a service technician specified by a service order... that includes any necessary facilities assignments which is unnecessary". It is unclear, based on the arrangement of the wording of the preamble, as to whether the preamble intends for the dispatch of the service technician or the necessary facilities assignments to be considered unnecessary. Clarification is required. Examiner has interpreted the preamble as --A method for eliminating a dispatch of a service technician specified by a service order... that includes any necessary facilities assignments, where the dispatch of a service technician is considered unnecessary--.

9. The following art rejections have been established in light of the deficiencies above and using the Examiners best interpretation of the pending claims. Examiner further points out that while the limitations of the claims are read in the context of the preambles, the preambles are merely the intended field of use of the limitations and do not confer limitations into the body of the claims. Furthermore, the preambles of the claims vary and therefore it is not clear what the intended field of use is (for example, the preambles of claims 1 and 11 are not the same). Therefore, if limitations in the preambles are vital to the recitation of the body of the claim, Examiner suggests positive recitation of these portions in the bodies of the claim.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 5-7, 10-11, and 13-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Storch et al. (U.S. 5,920,846).

11. As per claim 1, Storch et al. discloses a method for eliminating an unnecessary dispatch of a service technician when a service order that is related to installation and that includes any necessary facilities assignments indicates a dispatch is required, comprising:

determining whether the service order meets a set of predefined criteria that indicates the service order is likely to cause an unnecessary dispatch (See at least figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein the predefined criteria are obtained and used to generate

the initial service order. After an appointment is set on the initial service order, the predefined criteria are looked at to determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining whether the dispatch is unnecessary (See at least figure 12, and column 57, lines 8-31, wherein when the service order meets certain criteria, based on previously obtained data the dispatch is determined to be not needed); and

if the dispatch is unnecessary, then canceling a dispatch associated with the service order (See at least figure 12, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the dispatch is not needed and the dispatch associated with the service order is eliminated).

12. As per claim 2, Storch et al. teaches a method wherein determining whether the service order meets a set of predefined criteria comprises:

determining whether the service order was initiated by a competitive local exchange carrier (See column 53, lines 30-48, and column 54, lines 10-13 and 42-60, in which discusses a remote location selling telecommunications services interfacing with a central computer that maintains overall records concerning appointment dates and such. See also column 58, lines 12-14, which discusses the central computer scheduling with the provider based on geographic region, meaning that the system knows the company with which the order was placed).

13. As per claim 5, Storch et al. discloses a method wherein determining whether the service order meets a set of predefined criteria comprises:

determining whether the service order includes an assignment of facilities (See column 53, lines 29-48, column 56, lines 3-23, column 57, lines 8-37, in which a more in depth

processing analyzes the service to ascertain the necessary facilities and the need for assignment of these facilities).

14. As per claim 6, Storch et al. teaches a method wherein determining whether the service indicates that a dispatch is unnecessary comprises:

determining whether the assignment of facilities uses the same facilities that were previously assigned to a location associated with the service order (See column 57, lines 11-17, wherein during the more in depth processing the current status of the facilities are accessed to see what exact work needs to be done).

15. As per claim 7, Storch et al. discloses a method wherein canceling the dispatch comprises:

correcting the service order so that the dispatch associated with the service order is canceled (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches).

16. As per claim 10, Storch et al. teaches a method wherein determining whether the dispatch is unnecessary comprises:

periodically generating a report based upon selected ones of the predefined criteria that includes all service orders that meet the selected predefined criteria (See at least column 56, lines 41-61, wherein a statement is generated and issued at times (when required for a preliminary

quote), using the databases, using the predefined criteria and all the service orders related to these criteria).

17. As per claim 11, Storch et al. discuses a system for eliminating unnecessary dispatches, comprising:

a service order control system for receiving service requests from a source and for generating a service order that is related to installation and that includes any necessary facilities assignments (See at least figure 12, column 53, lines 15-31 and 53-65, column 54, lines 1-4, 14-17, 28-31, and 65-67, column 55, lines 1-17, and column 56, lines 1-19 and 25-37, wherein the predefined criteria are obtained from a customer and used to generate the initial service order. The service order includes any necessary facilities assignments);

a work management center for receiving the service order from the service order control system and for determining whether the service order requires a dispatch (See at least figure 12, and column 56, lines 41-64, wherein the service order is received from the service order control system and an initial determination is made as to whether the service order requires a dispatch); and

a trap service order system for monitoring the service order generated by the service order control system and for determining whether the service order requires a dispatch, and if so, determining whether the dispatch is unnecessary by comparing the service order type and information in a selected field of the service order with a set of predefined criteria that indicate the service order is likely to cause an unnecessary dispatch (See at least figure 12, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the initial determinations are monitored and a determination is made as to whether or not the service order

requires a dispatch based on more specific information about the service order type and information in fields of the service order. This information is compared to other service orders' predefined criteria).

18. As per claim 13, Storch et al. teaches a system further comprising a loop facility assignment control system for receiving the service order and for assigning facilities for the service order, wherein if the trap service order system determines that the dispatch is unnecessary, then the trap service order system communicates with the loop facility assignment control system to update a database in the loop facility assignment control system (See column 55, lines 2-6, 25-38, and 41-45, and column 56, lines 32-34 and 41-48, which discuss the set up of a preliminary appointment which includes an initial assignment of facilities to service the order. See column 57, lines 8-37, which discusses the trapping of service orders not requiring the dispatch of a technician, though previously assigned. When changes are made to the initial assignment, the stored records associated with the service order are updated).

19. As per claim 14, Storch et al. discloses a system wherein if the trap service order system determines that the dispatch should be canceled, then the trap service order system communicates with the service order control system to update a database in the service order control system (See figure 12, column 55, lines 17-23 and 38-46, column 57, lines 32-46 and 51-53, column 58, lines 22-31 and 36-41, which describes sending a notification to the service order control system about the change in the appointment status of a service order, therefore updating the database of appointment availability).

20. As per claim 15, Storch et al. teaches a system wherein the service order control system generates a corrected service order, which cancels the dispatch in response to the database update

(See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches).

21. As per claim 16, Storch et al. discloses a system wherein the trap service order system is operative to identify all service orders that require a dispatch and that meet a set of predefined criteria (See at least figure 12, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the trap service order system works to recognize which service orders require dispatch based on predefined criteria).

22. As per claim 17, Storch et al. discusses a method for eliminating a dispatch of a service technician specified by a service order that is related to installation and that includes any necessary facilities assignments which is unnecessary, comprising:

determining whether the service order meets a set of predefined criteria that indicate the likelihood of an unnecessary dispatch by examining selected sections of the service order (See at least figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein the predefined criteria are obtained and used to generate the initial service order. After an appointment is set on the initial service order, the predefined criteria from sections of the service order are looked at to determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining whether the dispatch is unnecessary (See at least figure 12, and column 57, lines 8-31, wherein when the service order meets certain criteria, based on previously obtained data the dispatch is determined to be not needed); and

if the dispatch is unnecessary, then eliminating the dispatch by correcting the service order and canceling a dispatch order for the dispatch (See at least figure 12, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the dispatch is not needed and the dispatch associated with the service order is eliminated. See also Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches).

23. As per claim 18, Storch et al. discusses a method wherein the set of predefined criteria is selected based upon an analysis of past dispatches (See column 56, lines 45-61, and column 57, lines 8-21, which discusses using tables storing records concerning past dispatches and statistical analysis to determine the need for dispatch. The records are applied based on the information provided in the current service order).

24. As per claim 19, Storch et al. discloses a method wherein the set of predefined criteria include determining whether the service order is a new install or a reinstall/reconnect (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines

11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

25. As per claim 20, Storch et al. teaches a method wherein correcting the corrected service order comprises updating a database associated with a service order control system (See figure 12, column 55, lines 17-23 and 38-46, column 57, lines 32-46 and 51-53, column 58, lines 22-31 and 36-41, which describes sending a notification to the service order control system about the updated service order and it's appointment needs, therefore updating a database of appointment availability).

26. As per claim 21, Storch et al. teaches a method wherein the service order is for a new install (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

27. As per claim 22, Storch et al. discloses a method wherein the service order is for a reinstall/reconnect (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

28. As per claim 23, Storch et al. discloses a method wherein a dispatch order corresponding to the service order is generated (See at least figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein an order to dispatch a technician is associated with the service order and the system are notified of it's tentative existence)

and wherein canceling the dispatch comprises:

generating a corrected service order (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches);

determining whether the corrected service order corresponds to the dispatch order (See figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein the corrected service order is looked at to see if the dispatch order exists in correlation to it);

if the corrected service order corresponds to the dispatch order, then canceling the dispatch order (See at least figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein if in the preliminary phase a dispatch order was associated to the order and it is no longer needed, the dispatch order is canceled and the appointment date/time becomes available).

29. As per claim 24, Storch et al. teaches a system wherein the service order is for a new install (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

30. As per claim 25, Storch et al. teaches a system wherein the service order is for a reinstall/reconnect (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

31. As per claim 26, Storch et al. discloses a system wherein if the service order requires a dispatch, then the work management center generates a dispatch order (See at least figure 12, and column 56, lines 41-64, wherein the service order is received from the service order control system and an initial determination is made as to whether the service order requires a dispatch. If a dispatch is required, an dispatch order is arranged in the system).

32. As per claim 27, Storch et al. teaches a system wherein the service order control system generates a corrected service order, and wherein the work management center determines whether the corrected service order corresponds to the dispatch order and if the corrected service order corresponds to the dispatch order, then the work management center cancels the dispatch order (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. See column 57, lines 38-42, and column 58, lines 5-35, wherein the dispatch order that corresponds to the corrected order is found and, if no longer needed, the dispatch order is canceled and the appointment date/time becomes available).

33. As per claim 28, Storch et al. teaches a method wherein the service order is for a new install (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

34. As per claim 29, Storch et al. discloses a method wherein the service order is for a reinstall/reconnect (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

35. As per claim 30, Storch et al. teaches a method for eliminating a dispatch of a service technician specified by a service order that is related to installation and that includes any necessary facilities assignments which is unnecessary, comprising:

determining whether the service order meets a set of predefined criteria that indicate a likelihood of an unnecessary dispatch by examining selected sections of the service order (See at least figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein the predefined criteria are obtained and used to generate the initial service order. After an appointment is set on the initial service order, the predefined criteria from sections of the service order are looked at to determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining whether the dispatch is unnecessary (See at least figure 12, and column 57, lines 8-31, wherein when the service order meets certain criteria, based on previously obtained data the dispatch is determined to be not needed); and

if the dispatch is unnecessary, then eliminating the dispatch by:

generating a corrected service order (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the

assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. The appointment time is now free for other service order dispatches);

determining whether the corrected service order corresponds to a dispatch order generated in response to the service order (See figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein the corrected service order is looked at to see if the dispatch order exists in correlation to it); and

if the corrected service order corresponds to the dispatch order, then canceling the dispatch order (See at least figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein if in the preliminary phase a dispatch order was associated to the order and it is no longer needed, the dispatch order is canceled and the appointment date/time becomes available).

36. As per claim 31, Storch et al.discloses a system for eliminating unnecessary dispatches, comprising:

a service order control system for receiving service requests from a source, for generating a service order that is related to installation and that includes any necessary facilities assignments, and for generating a corrected service order in response to a communication from a trap service order system (See at least figure 12, column 53, lines 15-31 and 53-65, column 54, lines 1-4, 14-17, 28-31, and 65-67, column 55, lines 1-17, and column 56, lines 1-19 and 25-37, wherein the predefined criteria are obtained from a customer and used to generate the initial service order. The service order includes any necessary facilities assignments. See figure 12, column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, wherein the service

order control system also corrects the service order after the trap service order system analyzes it);

a work management center for receiving the service order from the service order control system, for determining whether the service order requires a dispatch, if the service order requires a dispatch, then generating a dispatch order, for receiving the corrected service order from the service order control system, for determining whether the corrected service order corresponds to the dispatch order, and if the corrected service order corresponds to the dispatch order, then canceling the dispatch order (See at least figure 12, and column 56, lines 41-64, wherein the service order is received from the service order control system and an initial determination is made as to whether the service order requires a dispatch. See at least figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein, when the service order is corrected, the system locates a dispatch order associated with the original order, if one exists, and cancels it, if necessary); and

the trap service order system for monitoring the service order generated but the service order control system, for determining whether the service order requires a dispatch, if the service order requires a dispatch, then determining whether the dispatch is unnecessary by comparing a service order type and information in the selected field of the service order with a set of predefined criteria that indicate the service order is likely to cause an unnecessary dispatch, and if the dispatch is unnecessary, for communicating with the service order control system (See at least figure 12, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the initial determinations are monitored and a determination is made as to whether or not the service order requires a dispatch based on more specific information about the service

order type and information in fields of the service order. This information is compared to other service orders' predefined criteria. This is communicated to the system controlling the service order).

***Claim Rejections - 35 USC § 103***

37. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 4, 8, 9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Storch et al. (U.S. 5,920,846).

38. As per claim 3, Storch et al. discloses a method wherein determining whether the service order meets a set of predefined criteria comprises:

determining the requirement of dispatch for the service order is determined by a work management center (See at least figure 12, and column 57, lines 8-31, wherein when the service order meets certain criteria, based on previously obtained data the dispatch is determined to be needed or not).

Storch et al. further discloses an override code that requires dispatch of a technician in an emergency situation (See also column 59, lines 2-21, which discuss the ability of the order taker

to place an override code on a service order, said override code ignoring the closed or unavailable appointment times).

However, Storch et al. does not expressly disclose the override code being used to require a dispatch regardless of a dispatch determination by a work management center.

FID or Field Identifier codes are assigned to service orders to indicate how to process the service order, as stated in column 59, lines 45-56. Storch et al. discloses the ability to assign an FID in an emergency situation that overrides closed appointments in the system, regardless of the system determination of availability. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the override code of Storch et al. to require a dispatch regardless of a dispatch determination by a work management center in order to increase the flexibility of the tool by allowing an order taker to effectively meet the needs of the customer placing the service order.

39. As per claim 4, Storch et al. teaches a method wherein determining whether the service order meets a set of predefined criteria comprises:

determining whether the service order is related to a second service order (See column 56, lines 41-62, and column 57, lines 10-33, wherein the service order is analyzed for its association to other service orders that have already had determinations made).

However, Storch et al. does not expressly disclose that the second service order is pending.

Storch et al. teaches that when the tool is making a determination as to the necessity of the dispatch, it searches the service order's predefined criteria against a set of predefined criteria stored in database about other service orders. This data includes information about the

predefined criteria of other service orders and the number of times a dispatch was required in those service orders. Whether the other service orders are pending completion or already completed is irrelevant to the determination of a dispatch in those instances. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to determine whether a service order is related to a second pending service order in order to more accurately identify if the current service order will cause an unnecessary dispatch by looking at past determinations related to the other service orders.

40. As per claim 8, Storch et al. teaches a method further comprising the steps of:

placing the dispatch on hold while making a determination about the need for the dispatch (See at least figure 12, and column 57, lines 8-31, wherein the dispatch is waiting to occur until a determination has been made);

determining whether the dispatch should be scheduled to occur within a predetermined time period (See at least figure 12, and column 57, lines 8-31, which discusses deciding if the dispatch is scheduled occur within a predetermined time period); and

if the dispatch is scheduled to occur within the predetermined time period, then causing the dispatch to occur if no follow-up assessment takes place (See column 57, lines 55-60, wherein if the follow-up assessment does not occur within a predetermined amount of time, the system uses the initial assessment of the situation and sends the dispatch).

However, Storch et al. does not expressly disclose placing the dispatch on hold prior to determining whether the dispatch is necessary if the dispatch is scheduled to occur with a predetermined time period.

Storch et al. discloses that after a dispatch is preliminarily scheduled, the dispatch waits to occur until a determination is made about the necessity of the dispatch. At this point, it is obvious to one of ordinary skill in the art that if the determination by the system does not occur by a certain time, the tool has two choices – to proceed or to wait (i.e. the dispatch must proceed or be cancelled/wait and be pushed back). As per the system of Storch et al., if the determination is not made within a predetermined amount of time, the system proceeds with its initial assessment. It would be obvious to one of ordinary skill in the art at the time of the invention to place the dispatch on hold before an assessment is made in order to increase the accuracy of the dispatches by reviewing each preliminary dispatch before allowing it to occur.

41. As per claim 9, Storch et al. discloses a method wherein determining whether the dispatch is unnecessary comprises:

in response to receiving a query based upon ones of the predefined criteria, searching a database of service orders that indicate a dispatch is required to locate service orders that meet the selected predefined criteria (See column 56, lines 41-62, and column 57, lines 10-33, wherein the system is queried based upon the predetermined criteria and a database of service orders is searched to locate situations where a dispatch was required); and

providing the service orders that meet the selected predefined criteria (See column 56, lines 41-62, and column 57, lines 10-33, wherein the service orders are made available that meet the certain predefined criteria).

However, Storch et al. does not expressly disclose that the second service order is pending.

Storch et al. teaches that when the tool is making a determination as to the necessity of the dispatch, it searches the service order's predefined criteria against a set of predefined criteria stored in database about other service orders. This data includes information about the predefined criteria of other service orders and the number of times a dispatch was required in those service orders. Whether the other service orders are pending completion or already completed is irrelevant to the determination of a dispatch in those instances. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to search a database of pending service orders in order to more accurately identify if the current service order will cause an unnecessary dispatch by looking at past determinations related to the other service orders.

42. As per claim 12, Storch et al. teaches a system wherein if the trap service order system determines that the dispatch is unnecessary and that the dispatch is scheduled to occur at a predetermined period of time, then the trap service order system communicates with the work management center to cancel the dispatch and auto-complete the service order (See figure 12, column 56, lines 28-34 and 62-65, and column 57, lines 8-37 and 51-54, and column 58, lines 5-10, 36-49, and 53-56, which discuss that if the determination of a dispatch renders it unnecessary and that the dispatch is scheduled to occur at a predetermined time period, then the system communicates with the work management center associated with the service order to cancel the dispatch and aut-complete the service).

However, Storch et al. does not expressly disclose that the trap service order system communicates with the work management center to place the dispatch on hold.

Storch et al. teaches scheduling an appointment for dispatch at a work management center and then determining if the dispatch is unnecessary. When the dispatch is unnecessary, the service order is taken care of using auto-complete, which does not require the dispatch of the technician. At this point, the previously scheduled dispatch is unnecessary. It would have been obvious to one of ordinary skill in the art at the time of the invention to place the dispatch on hold instead of canceling the dispatch in order to increase customer satisfaction with the company utilizing the tool by ensuring that the service order is completed as promised. If the auto-complete does not accomplish the service order, than the dispatch that was placed on hold may be utilized.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hice (U.S. 6,370,231) teaches a system that assesses the service order to determine if a dispatch is necessary or if auto-complete can occur.

Kinser et al. (U.S. 5,790,634) teaches an administration system that analyzes the status of a customer's telephone network and determines what actions to take (i.e. is dispatch necessary).

Pruett et al. (U.S. 5,953,389) discloses that provisions and maintains information on a customer's telephone network and determines what actions to take (i.e. is dispatch necessary).

Stark ("Entering the Interactive echelons") discloses remotely analyzing network situations to determine whether a dispatch of a technician is necessary.

"Applied Innovation Introduces New Solution for Monitoring and Provisioning Network Elements" (PR Newswire) discusses monitoring the status of a network to determine whether a dispatch of a technician is necessary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

bvd
April 17, 2003

Susanna Diaz
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Art Unit 3623